

REMARKS

Claims 2-6 have been examined. By this amendment, Applicants cancel claim 2 and add claims 7-12. Claims 3-12 are all the claims pending in the application.

I. Priority

The Examiner alleges that this application is not entitled to the benefit of the filing date of the parent application because no statement of priority was presented. Applicants respectfully submit that in the transmittal letter filed on January 19, 2001, the specification was amended to insert the statement of priority to its parent application 09/129,883 and to Japanese Patent Application No. 9/228902 and U.S. Provisional Application No. 60/058,563. The specification has been amended to include this statement of priority.

II. Oath/Declaration

The Examiner objected to the oath/declaration because the oath identifies the U.S. Provisional Application as a “foreign” application for purposes of claiming priority. Applicants respectfully submit herewith a substitute declaration correcting the error and request that the Examiner withdrawn this objection.

III. Claim Rejections under 35 U.S.C. § 112

The Examiner has rejected claim 2 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 2 has been cancelled without prejudice or disclaimer. Therefore this rejection is moot.

IV. Claim Rejections under 35 U.S.C. § 103

Claims 2-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamagishi et al. (U.S. Patent No. 5,695,413) in view of Kasashima et al. (JP 09-290034).

The present application claims priority from U.S. Provisional Application No. 60/058,563 filed on September 11, 1997. The Kasashima reference has a publication date of November 11, 1997. Accordingly, the Kasashima reference does not qualify as prior art under any section of 35 U.S.C. §§ 102 or 103. Therefore, the rejection is improper because the Kasashima reference does not qualify as prior art.

A verified English translation of the Kasashima reference was included in the provisional application. Applicants submit herewith a date-stamped receipt from Provisional Application No.: 60/058,563 confirming the submission of the verified English translation. Therefore, Applicants submit that no translation is needed to antedate the Kasashima reference.

Applicants respectfully request that the rejection be withdrawn.

V. New Claims

By this amendment, Applicants are adding claims 7-12. Applicants submit that claims 7-11 are patentable at least by virtue of their dependency on claim 4. Applicants submit that claim 12 is patentable at least by virtue of the claimed dimple specifications.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 09/764,307

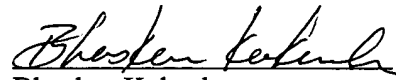
Attorney Docket No.: Q61128

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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